

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

LUIS TORRES

Plaintiff,

-v.-

Civil Action No.
6:12-cv-231 (GLS/ATB)

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

APPEARANCES:

OF COUNSEL:

FOR THE PLAINTIFF:

Erwin, McCane Law Firm
23 Elk Street
Albany, New York 12207

THOMAS C. ERWIN, ESQ.

FOR THE DEFENDANT:

Social Security Administration
Office of Regional General Counsel
Region II
26 Federal Plaza - Room 3904
New York, New York 10278

KRISTINA D. COHN, ESQ.

GARY L. SHARPE,
CHIEF JUDGE

ORDER

The above-captioned matter comes to this court following a Report-Recommendation by Magistrate Judge Andrew T. Baxter, duly filed December 21, 2012. Following ten days from the service thereof, the Clerk has sent the file, including any and all objections filed by the parties herein.

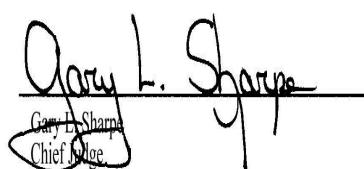
No objections having been filed, and the court having reviewed the Magistrate Judge's Report-Recommendation for clear error, it is hereby ORDERED, that the Report-Recommendation of Magistrate Judge Andrew T. Baxter filed December 21, 2012 is ACCEPTED in its entirety for the reasons state therein, and it is further

ORDERED that the decision of the Commissioner is AFFIRMED and the complaint is DISMISSED IN ITS ENTIRETY, and it is further

ORDERED, that the Clerk of the Court is to mail copies of the Order to the parties in accordance with the court's local rules.

IT IS SO ORDERED.

Dated: January 8, 2013
Albany, New York



Gary L. Sharpe
Chief Judge
U.S. District Court